

**REMARKS/ARGUMENTS**

Claims 1-53 were pending. In this amendment, no claims are canceled and claims 1, 6, 9, 11, 18-19, 23, 27, 31, 34, 36, 45 and 50 are amended. Following this amendment, claims 1-53 will remain pending.

Claims 1, 27 and 50 are amended herein to include, among other edits, apparatus, elements and/or steps wherein each output symbol has a weight representing the number of symbols from the combined set of symbols used to generate that output symbol and weights of output symbols include at least two distinct values at least one of which is greater than one and less than the number of symbols in the combined set of symbols. Such claim language is amply supported by the specification as filed. For example, Fig. 2 illustrates a weight selector and Figs. 21-22 describe examples of implementations. As should be apparent from the text accompanying those figures (and the tables following paragraph [0154]), output symbol weights can and do vary among two or more values and include values greater than one (e.g., 2, 71) and less than the number of symbols in the combined set. See, for example, Fig. 3, which illustrates at least seven symbols in the combined set, namely at least five input symbols and at least two redundant symbols, wherein an output symbol of weight three is generated.

In the Office Action, the Examiner objected to each of the claims, asserting the presence of informalities and rejected claims 27-30 and 32-33 under 35 USC §112, ¶2 as being indefinite. Applicant submits that the amendments presented herein are fully responsive to the objections/rejections and overcome those objections/rejections.

In the Office Action, the Examiner also rejected claims 1-8, 15-17, 26-30, 32-33 and 50 under 35 USC §102(b) as being anticipated by Wolf (U.S. Patent 5,983,383) or under 35 USC §103(a) as being unpatentable over Wolf alone or Wolf in view of Dillon et al. (U.S. Patent 6,430,233). For least the reasons stated below, Applicant respectfully requests reconsideration and withdrawal of the §§102/103 rejections, as each of the claims, as amended, are patentable over Wolf and Dillon taken alone or in combination.

Claim 1, as amended, is allowable over the cited references as those references, alone or in combination, fail to disclose or suggest each element of claim 1. For example,

amended claim 1 recites “generating a plurality of output symbols from a combined set of symbols, the combined set comprising symbols including the input symbols and the redundant symbols” and also recites “generating a plurality of output symbols...each output symbol having a weight representing the number of symbols from the combined set of symbols used to generate that output symbol, wherein weights of output symbols include at least two distinct values at least one of which is greater than one and less than the number of symbols in the combined set of symbols”. Applicant submits that neither of those elements are disclosed or suggested by Wolf or the combination of Wolf and Dillon.

Wolf discloses Reed-Solomon encoders and convolutional coders. As is well known in the art, a Reed-Solomon encoder outputs symbols that have weight equal to the number of input symbols. Thus, the weights do not vary (and as a result, there is a practical limit on the number of input symbols that can be used as they all have to be used for each output symbol). A typical convolutional coder is a bit-level coder, but whether the code unit is a bit or a larger symbol, convolutional coders have fixed generator polynomials and thus fixed coefficients and fixed weights. Wolf does not suggest otherwise. Therefore, Wolf (even considering the variable length code effect of the use of feedback) does not disclose or suggest generating a plurality of output symbols wherein weights of output symbols include at least two distinct values at least one of which is greater than one and less than the number of symbols in the combined set of symbols.

Dillon does not make up for this missing element, as should be apparent.

Applicant submits that claim 1 as amended is allowable and that claims 2-8, 15-17 and 26 that depend from allowable claim 1 are also allowable for at least the reasons stated above. As claims 27 and 50 include similar limitations, claims 27, 28-30 and 32-33 depending from claim 27, as well as claim 50 are allowable over the cited references. Therefore, withdrawal of the prior art rejections is appropriate and respectfully requested.

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Examining Group 2634

PATENT

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

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Respectfully submitted,



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